## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: HU et al.

Attorney Docket No.: 01-377/1D/LSI1P180D1

Application No.: 10/750,348

Examiner: NHU, David

Filed: December 31, 2003

Group: 2818

Title: METHOD OF PREVENTING RESIST

Confirmation No.: 9464

POISONING IN DUAL DAMASCENE

STRUCTURES

130.00 DA

CERTIFICATE OF PACSIMILE TRANSMISSION

Thereby certify that this correspondence is being transmitted by facsimile to fax number (571) 273-8300 to the U.S. Patent and Trademark Office on August 1, 2005.

Signed:

01 FC:1814

08/05/2005 GSTANLEY 00000003 122252 10750348 DISCLAIMER UNDER 37 C.F.R. § 1.321 TO OBVIATE AN OBVIOUSNESS-TYPE DOUBLE PATENTING REJECTION

> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The owner(s), LSI Logic Corporation, of the entire interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and §173 of prior United States Patent No. 6,713,386 B1 (hereafter "prior patent"), as presently shortened by any terminal disclaimer. The owner(s) hereby agrees that any patent so granted on the aboveidentified application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the aboveidentified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and §173 of the prior patent, as presently

Atty. Dkt. No. 03-377/1D / LSI1P180D1 Page 1 of 2

App. No. 10/750,348

PAGE 9/10 \* RCVD AT 8/1/2005 1:37:29 PM (Eastern Daylight Time) \* SVR:USPTO-EFXRF-6/29 \* DNIS:2738300 \* CSID:16509618301 \* DURATION (mm-ss):03-38